

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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PROMEGA CORPORATION,

Plaintiff,

MAX-PLANCK-GESELLSCHAFT ZUR  
FORDERUNG DER WISSENSCHAFTEN  
E.V.,

Case No.: 10-CV-281

Involuntary Plaintiff,

v.

LIFE TECHNOLOGIES CORPORATION,  
INVITROGEN IP HOLDINGS, INC., and  
APPLIED BIOSYSTEMS, LLC,

Defendants.

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**MOTION TO SET RESPONSE DATES ON RULE 50 AND RULE 59 MOTIONS (DKT. #578, 580, 582, 584, 586 & 588) CONSISTENT WITH MARCH 14 ORDER (DKT. #577)**

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Now comes the Plaintiff, Promega Corporation, and respectfully moves that the Response and Reply dates for responding to Defendants' Rule 50 and Rule 59 Motions (Dkt. #578, 580, 582, 584, 586 & 588) be set for April 19 and April 30, respectively, and in support of said motion states as follows:

1. The Court has previously set Response and Reply dates by Order for post-trial motions of the parties. (Order, March 14, 2012 (Dkt. #577)).
2. The Defendants noted in a Status Letter to the Court that it was required to file certain of its post-trial motions on March 22 for jurisdictional reasons (Dkt. #574), and it did file those motions on that date. (*See* Dkt. #578, 580, 582, 584, 586 & 588 (all filed on March 22)).

3. Given the interrelationship of post-trial motions and the existing Order related to the dates for filing post-trial motions, responses and replies, it is important and most efficient for the parties to be allowed to file responses and replies consistent with the schedule of all other motions.
4. Mr. Peter Carroll, one of Promega's lead counsel, has planned time away beginning March 29, and Ms. Sarah Troupis, has planned time away beginning March 28, consistent with the Easter/Spring holidays.

Accordingly, the Plaintiff respectfully requests that the Court set the Response and Reply dates for the Rule 50 and Rule 59 Motions in accordance with the prior March 14 Order of this Court—April 19 and April 30.

Respectfully Submitted this 23rd day of March, 2012.

By: /s/ James R. Troupis

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